

Janet Napolitano
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Robert J. Maynard, O.D.
President

Robert B. Pinkert, O.D.
Vice President



Arizona State Board of Optometry
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Executive Director

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MINUTES FOR REGULAR SESSION MEETING MARCH 19, 2004

Board Members

Robert J. Maynard, O.D., President
Robert B. Pinkert, O.D., Vice President
Caroline Griego, O.D.
Christina M. Sorenson, O.D.
Curtis R. Winkler, M.D.
Lawrence Ponemon, PhD

Staff:

Jack Confer, Executive Director
Margaret Whelan, Licensing Administrator

Legal Counsel:

Blair Driggs, Assistant Attorney General

A. CALL TO ORDER: Dr. Maynard

Dr. Maynard called the meeting to order at 9:10 a.m.

B. ROLL CALL: Ms. Whelan

Board Members Present: Robert J. Maynard, O.D., President
Caroline Griego, O.D.
Christina M. Sorenson, O.D.
Curtis Winkler, M.D.

Board Members Absent: Robert B. Pinkert, O.D., Vice President
Lawrence Ponemon, PhD

Legal Counsel Present: Blair Driggs, Assistant Attorney General

Staff Present: Jack Confer, Executive Director
Margaret Whelan, Licensing Administrator

C. PRESIDENT'S REPORT: Dr. Maynard

Dr. Maynard welcomed Dr. Winkler.

D. INFORMAL INTERVIEWS:

1. ASBOO vs. Tim M. Takeoka, O.D., IR#200243

Dr. Sorenson summarized the case and asked the Board to send to formal administrative hearing.

MOTION: Dr. Winkler moved to send to formal hearing. Dr. Griego seconded motion.

VOTE: Motion passed 4-0.

E. REVIEW, DISCUSSION AND VOTE ON INVESTIGATION REVIEWS/COMPLAINTS:

2. S.L. vs. Zuhair K. Samo, O.D., IR#200406

Dr. Maynard summarized the case and asked the Board to dismiss the case due to lack of violation of the optometry practice act.

MOTION: Dr. Sorenson moved to dismiss the case. Dr. Griego seconded motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Lawrence Ponemon Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	4	X	X		X		X
NO	0						
ABSTAIN	0						
ABSENT	2			X		X	

VOTE: Motion passes 4-0.

F. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION AS PROVIDED BY A.R.S. § 32-1704 (D) and A.A.C. R4-21-208.

Fiscal Year 2003/2004

	Continuing Education	Date	No. of hours requested
a.	Wisconsin Optometric Association-2004 WOA Spring Seminar	4/28-4/29/04	13 Regular
b.	California Optometric Association- Optowest 2004	4/29-5/2/04	124 Regular 15 PM
c.	Optometric Retina Society- Contemporary Care of the Macula	4/16-4/18/04	15 Regular
d.	Arizona Optometric Association- AzOA Annual Spring Congress	4/29-5/2/04	19 Regular 1 PM
e.	Midwest Vision Congress- Midwest Vision Congress and Expo.	5/13-5/16/04	20 Regular

MOTION: Dr. Sorenson moved to accept all CE as listed. Dr. Griego seconded the motion.

VOTE: The motion passed 4-0.

G. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING REGULAR LICENSE APPLICATION:

Ho, Winnie
Truong, Sonny

MOTION: Dr. Sorenson moved to approve Dr. Truong. Dr. Winkler seconded the motion.

VOTE: The motion passed 4-0.

SECOND MOTION: Dr. Sorenson moved to approve Dr. Ho contingent upon clean fingerprints returned from DPS. Dr. Winkler seconded the motion.

VOTE: The motion passed 4-0.

H. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING ENDORSEMENT LICENSE APPLICATION:

Agnone, William
Engelman, Max
Stamper, Patricia
Busch, Nancy

MOTION: Dr. Sorenson moved to approve above listed applicants for endorsement excluding William Agnone and Patricia Stamper. Dr. Winkler seconded the motion.

VOTE: The motion passed 4-0.

I. REVIEW, DISCUSSION AND POSSIBLE VOTE ON DRAFT MINUTES:

3. February 27, 2004, Regular Meeting Minutes
4. February 27, 2004, Executive Session Minutes

MOTION: Dr. Sorenson moved to approve tabs 3 and 4 inclusive with minor changes submitted to staff. Dr. Griego seconded the motion.

VOTE: The motion passed 4-0.

J. REVIEW, DISCUSSION AND POSSIBLE VOTE CONCERNING ILLINOIS COLLEGE OF OPTOMETRY CURRICULUM LETTER DATED JANUARY 20, 2004.

5. Letter dated January 20, 2004 from Janice E. Scharre, O.D., Dean/Vice President for Academic Affairs

This tab is tabled until next Board meeting.

K. REVIEW, DISCUSSION AND POSSIBLE VOTE ON BOARD POLICY OR SUBSTANTIVE STATEMENT REGARDING A.R.S. 15-1745 (A) (2) (b), "AREA OF EXCEPTIONAL NEED."

6. Draft Area of Exceptional Need Policy Statement

MOTION: Dr. Griego moved to adopt a policy to address "areas of exceptional needs" for applicants who work in those (federally defined) needs areas. Dr. Sorenson seconded the motion.

VOTE: Motion passes 4-0.

L. REVIEW, DISCUSSION AND POSSIBLE VOTE ON BOARD RESPONSE TO THE DEPARTMENT OF HEALTH & HUMAN SERVICES, HEALTHCARE INTEGRITY AND PROTECTION DATA BANK

The Board discussed the reporting requirements of the HIPDB and requested that staff agendize the current public information policy and investigation policy for review and respond to the databank's request for changes. The Board asked Mr. Confer to send the response.

M. REVIEW, DISCUSSION AND POSSIBLE VOTE ON PROPOSED RULES

8. Draft Rules

MOTION: Dr. Sorenson moved to form a committee to draft and discuss the rules. Dr. Griego seconded the motion.

VOTE: Motion passes 4-0.

A committee was formed and convened after the regular meeting to discuss rules for approximately 2 hours.

N. REVIEW, DISCUSSION AND POSSIBLE VOTE ON REQUEST FROM THE COUNCIL ON OPTOMETRIC PRACTITIONER EDUCATION (COPE) FOR APPROVAL OF COURSE REVIEWER

9. Letter dated January 23, 2003 from COPE

MOTION: Dr. Sorenson moved to approve letter. Dr. Griego seconded the motion.

VOTE: Motion passed 4-0.

O. EXECUTIVE DIRECTOR'S REPORT:

10. Budget Report (Information Only)
Budget Summary Report
11. Board Statistics (Information Only)
12. Summary of Investigative Reviews (Possible Discussion)
13. Board Correspondence
14. Litigation Update: Nicholas Kowalczyk, O.D. vs. Arizona State Board of Optometry

15. Legislation Update: HB2048, HB2585, HB2397, HB2451 and SB1269

Mr. Confer reported on tabs 10-15 inclusive.

P. CALL TO PUBLIC:

Dr. Maynard

Dr. Maynard made a call to the public at 9:14 AM. SGB and JB were present to address the Board during the call to public.

After hearing the public comment, Dr. Winkler requested that this matter be placed on next month's meeting for review.

MOTION: Dr. Sorenson moved to adjourn the meeting at 10:52 AM. Dr. Griego seconded the motion.

VOTE: The motion passed 4-0.

END OF AGENDA:

Jack Confer, Executive Director

Date